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SENATE BILL 505

48TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2008

INTRODUCED BY

Rod Adair

AN ACT

RELATING TO LEGISLATIVE COMMITTEES; CREATING THE OIL
CONSERVATION DIVISION OVERSIGHT COMMITTEE; MAKING AN
APPROPRIATION; DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. OIL CONSERVATION DIVISION OVERSIGHT COMMITTEE
CREATED--TERMINATION.--The joint interim legislative "oil
conservation division oversight committee" is created. The
committee shall function from the date of its appointment until
December 21, 2012.

Section 2. MEMBERSHIP--APPOINTMENT--VACANCIES.--

A. The oil conservation division oversight
committee is composed of twelve members. The New Mexico
legislative council shall appoint six members from the house of
representatives and six members from the senate.

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1 B. Members shall be appointed from each house so as
2 to give the two major political parties in each house equal
3 representation on the committee. At the request of the
4 committee chair, members may be removed from the committee by
5 the New Mexico legislative council for nonattendance according
6 to council policy. Vacancies on the committee, however caused,
7 may be filled by the council, or the council may reduce the
8 size of the committee by not making replacement appointments
9 and in that case need not readjust party representation.

10 Section 3. DUTIES.--

11 A. After its appointment, the oil conservation
12 division oversight committee shall hold one organizational
13 meeting to develop a work plan and budget for the ensuing
14 interim. The temporary chair of the committee shall be the
15 president pro tempore of the senate, or the present pro
16 tempore's designee, who shall serve until the permanent chair
17 and vice chair have been chosen. The work plan and budget
18 shall be submitted to the New Mexico legislative council for
19 approval. Upon approval of the work plan and budget by the
20 council, the committee shall:

21 (1) examine the statutes, constitutional
22 provisions and rules governing the oil conservation division of
23 the energy, minerals and natural resources department;

24 (2) monitor and oversee the oil conservation
25 division as it administers New Mexico's oil, gas and geothermal

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1 resources and as it applies internally developed rules and
2 regulatory oversight;

3 (3) review issues that affect the state's oil
4 conservation, including emissions, oil extraction and
5 compliance with federal statutes and rules and policies created
6 by the oil conservation division and other state agencies;

7 (4) notify the oil conservation division when
8 the committee has determined that rules promulgated by the oil
9 conservation division exceed statutory authority or contradict
10 statutes; and

11 (5) make recommendations to the legislature
12 relating to the adoption of rules or policies of the oil
13 conservation division and for proposed legislation, if any
14 recommendations are found to be necessary.

15 B. The committee shall regularly receive testimony
16 from:

17 (1) the secretaries of energy, minerals and
18 natural resources; economic development; and environment;

19 (2) staff members of the oil conservation
20 division;

21 (3) representatives of and persons involved in
22 oil and gas exploration;

23 (4) persons concerned with issues related to
24 the duties of the oil conservation division; and

25 (5) other persons as appropriate.

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1 Section 4. SUBCOMMITTEES.--Subcommittees shall be created
2 only by majority vote of all members appointed to the oil
3 conservation division oversight committee and with the prior
4 approval of the New Mexico legislative council. A subcommittee
5 shall be composed of at least one member from the senate and
6 one member from the house of representatives and shall have
7 equal political party representation. Any meeting or
8 expenditure of a subcommittee shall be approved by the full
9 committee in advance of that meeting or expenditure, and the
10 approval shall be shown in the minutes of the committee.

11 Section 5. REPORTS.--The oil conservation division
12 oversight committee shall make reports of its findings and
13 recommendations for the consideration of the first and second
14 sessions of the forty-ninth and fiftieth legislatures and the
15 first session of the fifty-first legislature. The reports and
16 suggested legislation shall be made available to the New Mexico
17 legislative council on or before December 15 preceding each
18 session. Other reports to the executive branch and appropriate
19 agencies may be issued as determined by the committee.

20 Section 6. STAFF.--The staff for the oil conservation
21 division oversight committee shall be provided primarily by the
22 legislative council service, but the legislative council
23 service may request the assistance of the legislative finance
24 committee staff at the direction of the committee.

25 Section 7. APPROPRIATION.--Twenty-six thousand dollars

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1 (\$26,000) is appropriated from the general fund to the
2 legislative council service for expenditure in fiscal years
3 2008 and 2009 for the establishment of the oil conservation
4 division oversight committee. Any unexpended or unencumbered
5 balance remaining at the end of fiscal year 2009 shall revert
6 to the general fund.

7 Section 8. EMERGENCY.--It is necessary for the public
8 peace, health and safety that this act take effect immediately.

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